IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION

No. 5:06-CR-00052-F-1

	No. 5:16-CV-00639-F	
MICHAEL H. JACOBS,)	
Petitioner,)	
v.)	ORDER
UNITED STATES OF AMERICA,)	
Respondent.)	

This matter is before the court on Michael H. Jacobs's Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 [DE-28, -31]. Having examined Jacobs's motion pursuant to Rule 4(b) of the Rules Governing Section 2255 Proceedings, the United States Attorney is DIRECTED to file an Answer pursuant to Rule 5, Rules Governing Section 2255 Proceedings, or to make such other response as appropriate to the above-captioned § 2255 motion, within **forty (40)** days of the filing of this order.

Jacobs asserts a challenge based on *Johnson v. United States*, 135 S. Ct. 2551 (2015), and he previously qualified for appointed counsel. The Office of the Federal Public Defender has been appointed to represent Jacobs pursuant to Standing Order No. 15-SO-2 (E.D.N.C. Oct. 16, 2015).

SO ORDERED.

This 13 day of July, 2016.

JAMES C. FOX

SENIOR UNITED STATES DISTRICT JUDGE